

IN RE: PETITION FOR ZONING VARIANCE
NWC Cord Street & Hydroplane Drive
1007 Cord Street
15th Election District
6th Councilmanic District
Melvin Lee Bixler, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-439-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 303.1 to allow a front yard setback of 6 feet in lieu of the required 18 feet, 6 inches front yard average, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioners, Melvin and Brenda Bixler, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1007 Cord Street, consists of .18 acres +/-, zoned D.R.5.5 and is currently improved with an existing single family dwelling and accessory shed.

The Petitioners testified that they have lived at the subject address for the past four years and are desirous of constructing the proposed porch and room addition to accommodate their growing family. The improvements face Hydroplane Drive and are not on an adjoining residential property line.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare

of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of May 1990 that the Petition for a Zoning Variance to allow a front yard setback of 6 feet in lieu of the required 18 feet, 6 inches front yard average, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the subject additions to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm
cc: Peoples Counsel

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-439-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 303.1 To allow a front yard setback of 6 feet in lieu of the required 18 feet, 6 inches front yard average.

1. Need more room for family addition
2. Addition can't meet setbacks

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature

1007 Cord St. 391-1992
Baltimore, MD 21220
1007 Cord St. 391-1992
Baltimore, MD 21220

Attorney for Petitioner:
(Type or Print Name)
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State

1007 Cord St. 391-1992
Baltimore, MD 21220

Attorney's Telephone No.:
Address
City and State

ORDERED BY The Zoning Commissioner of Baltimore County, this 28th day of March 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of May, 1990, at 2 o'clock p.m.

ESTIMATED LENGTH OF HEARING: 15 MINUTES
APPROVED BY: J. Robert Haines
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 12, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 12, 1990

THE JEFFERSONIAN,

S. Zebe Orlem
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Wednesday, May 9, 1990 at 2:00 p.m.
Petition for Zoning Variance
Case number: 90-439-A
NWC Cord Street and Hydroplane Drive
1007 Cord Street
15th Election District
6th Councilmanic District
Petitioners: Melvin Lee Bixler, et ux
Hearing: Wednesday, May 9, 1990 at 2:00 p.m.
Variance: To allow a front yard setback of 6 ft. in lieu of the required 18 ft. 6 inches front yard average.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, determine any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and submitted in the office by the date of the hearing and shall be presented at the hearing.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland 21204 (115) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 4/23/90
Posted for: Variance
Petitioner: Melvin Lee Bixler, et ux
Location of property: NWC Cord St. & Hydroplane Drive
1007 Cord St.
Location of Sign: Posting in front of subject property
Remarks: 21' front yard setback variance
Posted by: J. Robert Haines
Number of Signs: 1

ZONING DESCRIPTION

Beginning at a point on the east side of Hydroplane Drive, which is 84.19' wide at the distance of 46.90 south of the centerline of the nearest improved intersection street, Cord Street which is 84.19' wide. Being lot #158, Section 2 in the subdivision of Victory Villa as recorded in Baltimore County Plant Book GLB 22, Folio #112 containing .18 acres in lot. Also known as 1007 Cord Street and located in the 15th Election District.

receipt

Baltimore County
Zoning Commissioner
County Office Building 207
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 1667

Date: 3/09/90

PUBLIC HEARING FEES: QTY: PRICE
010 - ZONING VARIANCE (TRL): 1 X \$35.00
TOTAL: \$35.00

LAST NAME OF OWNER: BIXLER

8 831*****350013 3056F

Cashier Validation: Please make checks payable to: Baltimore County

CERTIFICATE OF PUBLICATION

April 13, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 11, 1990

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zebe Orlem
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 27, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 1111 N. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 90-439-A
NAC Cord Street and Hydroplane Drive
1007 Cord Street
15th Election District - 8th Councilmanic
Petitioner(s): Melvin Lee Bixler, et ux
HEARING: WEDNESDAY, MAY 9, 1990 at 2:00 p.m.

Variance: To allow a front yard setback of 6 ft. in lieu of the required 18 ft., 6 inches front yard average.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Bixler

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 15, 1990

Dennis F. Rasmussen
County Executive

Mr. and Mrs. Melvin Lee Bixler
1007 Cord Street
Baltimore, Maryland 21220

RE: Petition for Zoning Variance
Case No. 90-439-A

Dear Mr. and Mrs. Bixler:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 30, 1990

Dennis F. Rasmussen
County Executive

Mr. & Mrs. Melvin Lee Bixler
1007 Cord Street
Baltimore, MD 21220

RE: Item No. 306, Case No. 90-439-A
Petitioner: Melvin L. Bixler, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Bixler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
28th day of March, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Melvin L. Bixler, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: March 15, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Donald M. Miller, Item No. 295
Peggy Davison, Item No. 295
Emma Lou Tannenbaum, Item No. 305
Melvin Lee Bixler, Item No. 305
William L. Goodman, Item No. 265
Mark Allen Bowling, Item No. 263
Frederick P. Gick, III, Item No. 262

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

MAR 5 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

March 23, 1990

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 293, 294, 295, 296, 297, 298, 299, 301, 302, 303, 304, 305, and 306.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/lvw

RECEIVED
MAR 27 1990
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

March 21, 1990

Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MELVIN LEE BIXLER
Location: #1007 CORD STREET
Item No.: 306 Zoning Agenda: MARCH 27, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

MAR 27 1990

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee
DATE: April 3, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for March 27, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 295, 296, 298, 299, 301, 303, 304, 305 and 306.

For Item 293, a County Review Group Meeting may be required.

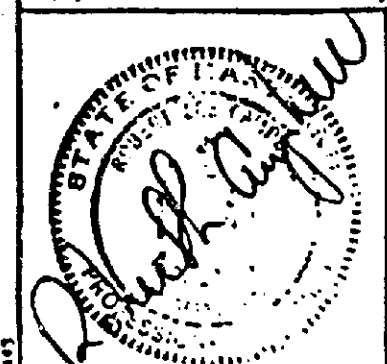
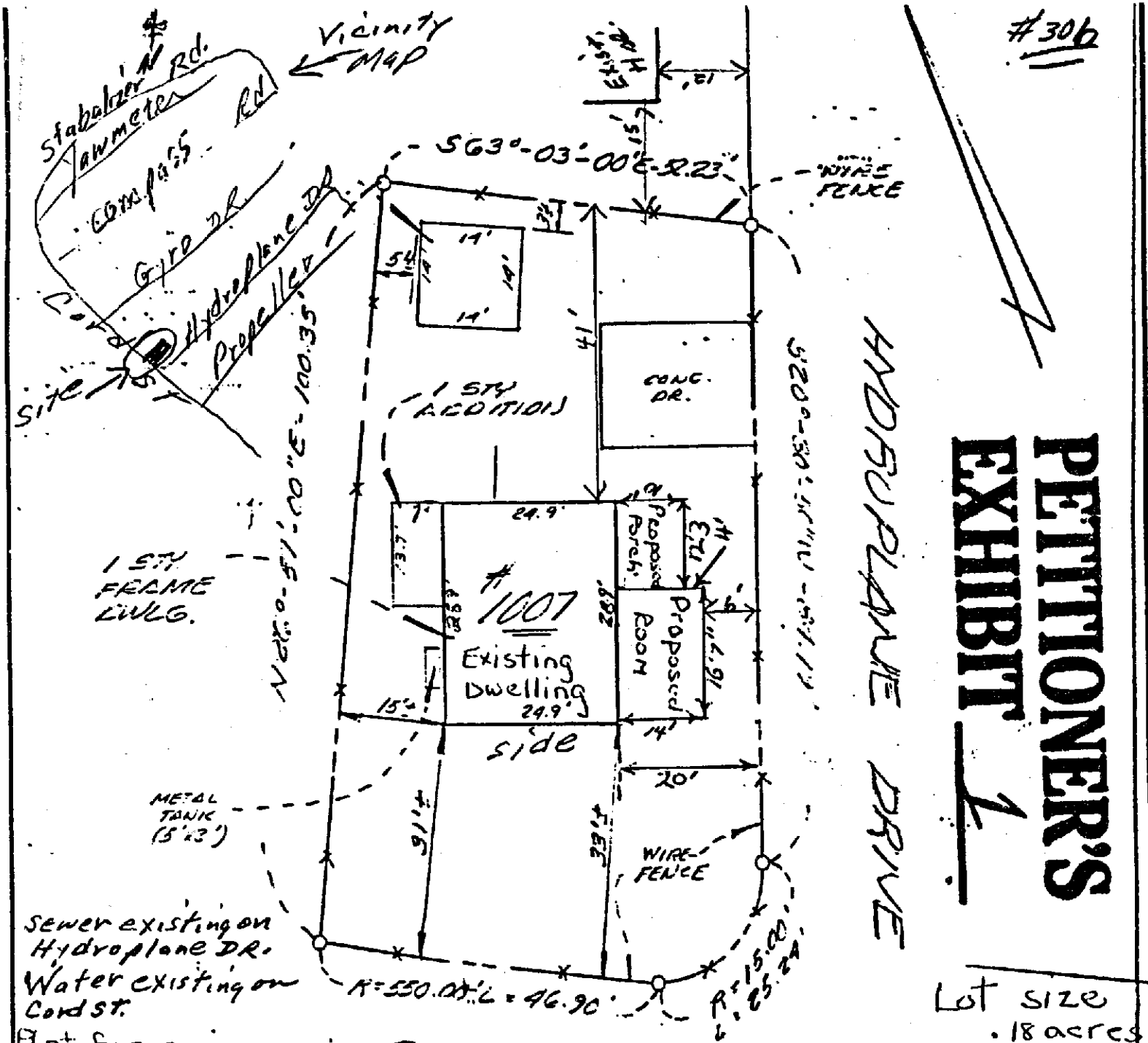
For Item 294, the previous County Review Group comments apply and a Public Works Agreement may be required.

For Item 297, a County Review Group Meeting and Public Works Agreement may be required.

For Item 302, the previous County Review Group comments apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s



90-439-A

I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown

This plat is not intended for use in establishing property lines
This property is not in

ENGINEERS • PLANNERS • SURVEYORS

5508 York Road
Baltimore, MD 21212

1/2" = 1' 1/2" 55106E

